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9 *Retirement System of the City of Baltimore, City of*
10 *Philadelphia Board of Pensions and Retirement,*
and Plymouth County Retirement Association

11 [Additional Counsel Listed on Signature Page]

12

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

15 PEIFA XU, Individually and on Behalf of All
16 Others Similarly Situated,

17 Plaintiff,

18 vs.

19 FIBROGEN, INC., ENRIQUE CONTERNO,
20 JAMES SCHOENECK, and K. PEONY YU,

21 Defendants.

16 No. 3:21-cv-02623-EMC

17 **CLASS ACTION**

18 **STIPULATION AND [PROPOSED]
19 SCHEDULING ORDER**

1 This stipulation is entered into between Lead Plaintiffs Employees' Retirement System of
 2 the City of Baltimore, City of Philadelphia Board of Pensions and Retirement, and Plymouth
 3 County Retirement Association (the "Retirement Systems" or "Lead Plaintiffs") and Defendant
 4 FibroGen, Inc. ("FibroGen" or the "Company") (collectively with the Retirement Systems, the
 5 "Parties").

6 WHEREAS, on April 12, 2021, Peifa Xu commenced the above-captioned putative
 7 securities class action, Case No. 3:21-cv-02623 (the "Xu Action"), against FibroGen, Enrique
 8 Conterno, James Schoeneck, and Peony Yu (collectively, "Defendants"), asserting claims under
 9 the Securities Exchange Act of 1934 ("Exchange Act");

10 WHEREAS, additional actions were filed in this District thereafter asserting claims under
 11 the Exchange Act, including *Robert Gutman v. Fibrogen Inc., et al*, No. 4:21-cv-02725, *Grazioli*
 12 *v. Fibrogen Inc., et al*, No. 3:21-cv-03212, *IBEW Local 353 Pension Plan v. FibroGen, Inc., et al*,
 13 No. 3:21-cv-03396, and *Leonard v. Fibrogen, Inc., et al*, No. 3:21-cv-03370 (together with the *Xu*
 14 Action, the "Related Actions");

15 WHEREAS, on June 11, 2021, the Retirement Systems filed their motion for the
 16 consolidation of the Related Actions and for their appointment as Lead Plaintiffs pursuant to the
 17 Private Securities Litigation Reform Act of 1995 ("PSLRA") (Docket No. 29);

18 WHEREAS, on July 14, 2021, the Court entered an order vacating the Initial Case
 19 Management Conference and related deadlines, and setting a deadline of twenty-one (21) days after
 20 the Court appointed Lead Plaintiffs and Lead Counsel in the Action for the Parties to submit to the
 21 Court a proposed schedule for: (i) Lead Plaintiffs' filing of a consolidated complaint or designating
 22 the previously filed Complaint as operative; and (ii) Defendants' time to answer or otherwise
 23 respond to the operative complaint (Docket No. 63);

24 WHEREAS, on August 30, 2021, the Court entered an order consolidating the Related
 25 Actions, appointing the Retirement Systems as Lead Plaintiffs, approving their choice of Saxena
 26 White P.A. as Lead Counsel, and setting a deadline of thirty (30) days from the date of the order to
 27 file a consolidated complaint (Docket No. 75);

28

WHEREAS, on August 31, 2021, counsel for Lead Plaintiffs and counsel for FibroGen conferred regarding a proposed schedule for the filing of a consolidated complaint and briefing on Defendants' anticipated motion(s) to dismiss; and

WHEREAS, due to the substantive nature of this complex securities class action, the fact that Lead Plaintiffs have not had an opportunity to file a complaint in this action, and Defendant FibroGen's counsel's trial commitments lasting approximately five (5) weeks in or around the month of October, the Parties jointly request additional time for the filing of Lead Plaintiffs' consolidated complaint and briefing on Defendants' anticipated motion(s) to dismiss;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED between the Parties and their undersigned counsel, subject to the approval of the Court, that:

1. Lead Plaintiffs shall file a consolidated complaint no later than October 29, 2021;
2. Defendants shall move against, answer or otherwise respond to the consolidated complaint on or before December 20, 2021;
3. If any Defendant moves to dismiss the consolidated complaint, Lead Plaintiffs shall file and serve their opposition on or before February 10, 2022;
4. Any moving Defendant shall file and serve its reply to any opposition made by Lead Plaintiffs on or before March 14, 2022; and
5. The caption of this action is hereby amended and shall read as follows:

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE FIBROGEN, INC., SECURITIES
LITIGATION

No. 3:21-cv-02623-EMC

CLASS ACTION

1 IT IS SO STIPULATED.

2 Dated: September 3, 2021

SAXENA WHITE P.A.

3 */s/ Lester R. Hooker*

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11 *Lead Counsel for Lead Plaintiffs*

12 Dated: September 3, 2021

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14 */s/ Jessica Valenzuela Santamaria*

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20 *Attorneys for Defendant FibroGen, Inc.*

21 * * *

22 ORDER

23 IT IS SO ORDERED.

24 DATED: September 7, 2021

25 
26 THE HONORABLE EDWARD M. CHEN
27 UNITED STATES DISTRICT JUDGE